

1 IN THE UNITED STATES DISTRICT COURT FOR THE  
2 NORTHERN DISTRICT OF OKLAHOMA

3 AMANDA FEENSTRA and  
4 SHARONICA CARTER, et al.,

5 Plaintiffs,

6 VS. Case Number  
19-cv-234-JFH-FHM

7 JARED SIGLER, et al.,

8 Defendants.

9 WEB CONFERENCE DEPOSITION OF AMANDA FEENSTRA  
10 TAKEN ON BEHALF OF THE DEFENDANTS  
ON NOVEMBER 12, 2020, BEGINNING AT 9:03 A.M.  
11 IN EDMOND, OKLAHOMA  
(LOCATION OF REPORTER)

12 APPEARANCES:

13 On behalf of the Plaintiffs:

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24 (Appearances continued on page 2)

25 Reported by: Cheryl D. Rylant, CSR, RPR

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1 BY MR. WILLIFORD:

2 **Q. Mrs. Feenstra, I apologize. I'll do my best**

3 **to not talk over you.**

4 **I thought you had told Mr. Pederson that when**

5 **you filled out the plea paperwork, that you -- it was**

6 **done behind glass in jail. Am I misremembering that?**

7 A. That was what I was trying to tell you, was

8 that's the only time she came and visited me.

9 **Q. Okay. So every other time that you met with**

10 **Ms. Branstetter was in the courthouse; is that fair?**

11 A. In the courtroom, yes.

12 **Q. And the only time she came to visit you in**

13 **prison was to fill out the plea paperwork; is that**

14 **correct?**

15 MR. TERRILL: Objection.

16 THE WITNESS: County jail.

17 MR. TERRILL: Object to the form.

18 BY MR. WILLIFORD:

19 **Q. County jail.**

20 **The only time she visited you in the county**

21 **jail was to fill out the plea paperwork; is that**

22 **right?**

23 A. That's correct. That I recall, yes.

24 **Q. Do you have any plans in the future to file a**

25 **motion for the Rule 8 hearing like you did for your**

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1 **husband?**

2 MR. TERRILL: Object to form.

3 You can answer.

4 THE WITNESS: I didn't know until today

5 that I could actually do that for me; so I was

6 going -- on the 20th, I will talk to Judge Thomas or

7 whatever judge I see about that.

8 BY MR. WILLIFORD:

9 **Q. Okay. Did anybody at the courthouse ever**

10 **lead you to believe -- ever give you the**

11 **impression -- that you were unable to file that**

12 **motion, that Rule 8 motion on behalf of yourself?**

13 A. I did not know that I could.

14 **Q. That's what --**

15 A. I didn't know I could.

16 **Q. What led you to that belief?**

17 A. Because nobody told me that I could. I'm not

18 an attorney. I don't know the legal rights of

19 things.

20 **Q. No. I understand. I'm just trying to get to**

21 **the -- to your understanding of that process.**

22 **And when your husband went in for his Rule 8,**

23 **he was able to get a substantial reduction of his**

24 **fees and costs that he owed; correct?**

25 A. Yes.

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1 **Q. I want to bounce back to a topic that we**

2 **talked about earlier; okay? About how**

3 **Ms. Branstetter was being paid.**

4 **And you told me that you thought if she was**

5 **being paid more, that she probably would have done**

6 **more work for you; is that correct?**

7 A. Yes.

8 **Q. Would it also be -- since you didn't know how**

9 **much or how she was being paid by the state, would it**

10 **also be fair to say that that didn't have any impact**

11 **at the time on your belief as to the quality of her**

12 **representation?**

13 MR. TERRILL: Object to form.

14 You can answer, if you know.

15 THE WITNESS: Re -- rephrase that in a

16 different way. Re-say it again.

17 BY MR. WILLIFORD:

18 **Q. Sure. Let me try. Let me try.**

19 **Okay. You told us you didn't know how**

20 **Mrs. Branstetter was being paid; correct?**

21 A. Yes.

22 **Q. Do you know -- did you know at the time --**

23 **back in 2015, did you have any knowledge as to how**

24 **her contract with the State of Oklahoma was**

25 **structured?**

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1 A. No. I still don't know --

2 **Q. Okay.**

3 A. -- how it's structured.

4 **Q. So you didn't know if, say, she got all of**

5 **her money from the State of Oklahoma, say, at the**

6 **beginning of the year, or at the end of the year, or**

7 **paid out throughout the year; is that correct?**

8 A. I don't know that information, no.

9 **Q. So, as we sit here today, then, you can't**

10 **tell us that how she was paid, the structure in which**

11 **Mrs. Branstetter was paid, had anything whatsoever to**

12 **do with her representation of you; is that fair?**

13 MR. TERRILL: Object to form.

14 You can answer.

15 THE WITNESS: I mean, not on how she was

16 paid. But, I mean, I believe it was because she was

17 paid little, and I don't know how else to say that.

18 And I feel like you're --

19 BY MR. WILLIFORD:

20 **Q. Okay.**

21 A. And I feel like your wording of things are

22 confusing me and complicating things. And, like, I

23 don't know how she got paid. I wasn't -- I'm not a

24 fly on the wall, I'm not her boss, I'm not her

25 partner. I have no idea. I know, because everybody

<p style="text-align: right;">Page 146</p> <p>1 knows, that OIDS attorneys get paid less than normal</p> <p>2 attorneys and they never work for you. They do what</p> <p>3 the district attorney wants them to do. Every</p> <p>4 criminal person knows that. And that's all the</p> <p>5 further I can say on that.</p> <p>6 <b>Q. Okay. I apologize. I'm not trying to</b></p> <p>7 <b>confuse you or any of that. I appreciate your</b></p> <p>8 <b>response, but I'm not trying to do that --</b></p> <p>9 A. I'm sorry, I didn't mean to be rude about</p> <p>10 that. I apologize.</p> <p>11 <b>Q. No. I understand. I understand.</b></p> <p>12 <b>But you've made some very specific allegations</b></p> <p>13 <b>in this case, and it's my job to try to figure out</b></p> <p>14 <b>what you know about those allegations and what --</b></p> <p>15 <b>you know, what those beliefs are. And so that's what</b></p> <p>16 <b>I'm trying to get to.</b></p> <p>17 MR. WILLIFORD: Can we take, like, a --</p> <p>18 hold on. I hit the wrong button.</p> <p>19 Can we take just like 5 minutes, let me look</p> <p>20 back over my notes and make sure that I get</p> <p>21 everything because I'm about finished.</p> <p>22 MR. TERRILL: Sure.</p> <p>23 THE REPORTER: We're off the record at</p> <p>24 1:40 p.m.</p> <p>25 (Break was taken: 1:40 p.m. to 1:52 p.m.)</p>	<p style="text-align: right;">Page 148</p> <p>1 this one or not. I know I meant to. So if I didn't,</p> <p>2 I apologize. And I saw a transcript in Devan's</p> <p>3 materials, and I probably -- if I didn't send it, I</p> <p>4 just got confused. So I apologize.</p> <p>5 BY MR. WILLIFORD:</p> <p>6 <b>Q. Ms. Feenstra, this is -- what we're calling</b></p> <p>7 <b>Exhibit 16, it's a transcript -- it says right</b></p> <p>8 <b>there -- of the plea proceedings held April 1st,</b></p> <p>9 <b>2015, before Curtis DeLapp.</b></p> <p>10 <b>Do you see that?</b></p> <p>11 A. Yes.</p> <p>12 <b>Q. Have you ever seen this transcript before?</b></p> <p>13 A. I don't think so, no.</p> <p>14 <b>Q. Okay. Let me scroll down for a bit and we'll</b></p> <p>15 <b>see appearances. We have Jared Sigler as the</b></p> <p>16 <b>assistant district attorney and Linda Branstetter as</b></p> <p>17 <b>attorney at law on behalf of defendant. So she was</b></p> <p>18 <b>there on behalf of you; is that right?</b></p> <p>19 A. Yes.</p> <p>20 <b>Q. Let me scroll down a little bit more. And</b></p> <p>21 <b>right at the beginning, you can see where you were</b></p> <p>22 <b>sworn in. Do you see that?</b></p> <p>23 A. Yes.</p> <p>24 <b>Q. And do you have any memory of this particular</b></p> <p>25 <b>hearing outside of looking at any of this transcript</b></p>
<p style="text-align: right;">Page 147</p> <p>1 THE REPORTER: Back on the record. The</p> <p>2 time is 1:52 p.m.</p> <p>3 BY MR. WILLIFORD:</p> <p>4 <b>Q. Okay. Ms. Feenstra, back on the record real</b></p> <p>5 <b>quick.</b></p> <p>6 <b>I want to show you another document. I don't</b></p> <p>7 <b>think we have looked at this just yet. So if we have</b></p> <p>8 <b>haven't, this is -- I believe this would be</b></p> <p>9 <b>Exhibit 16.</b></p> <p>10 MR. WILLIFORD: Is that correct on</p> <p>11 everybody's count?</p> <p>12 THE REPORTER: Yes.</p> <p>13 (Whereupon, Deposition Exhibit No. 16 was</p> <p>14 marked for identification and made part of the</p> <p>15 record.)</p> <p>16 BY MR. WILLIFORD:</p> <p>17 <b>Q. I'm going to scroll down so we can get to</b></p> <p>18 <b>what it is.</b></p> <p>19 <b>Have we looked at this yet, Ms. Feenstra, and I</b></p> <p>20 <b>just fell asleep?</b></p> <p>21 A. I don't think so.</p> <p>22 MR. TERRILL: Sorry, Jon. Are these</p> <p>23 materials that you sent or are these part of Devan's</p> <p>24 materials?</p> <p>25 MR. WILLIFORD: I don't remember if I sent</p>	<p style="text-align: right;">Page 149</p> <p>1 <b>from April 1st?</b></p> <p>2 A. I think that's when I entered my plea</p> <p>3 agreement.</p> <p>4 <b>Q. Okay. Do you remember being sworn in by</b></p> <p>5 <b>Judge DeLapp?</b></p> <p>6 A. Yes.</p> <p>7 <b>Q. And here, kind of around line 12, the court</b></p> <p>8 <b>asks you:</b></p> <p>9 <b>"And you have Ms. Branstetter as your</b></p> <p>10 <b>attorney and gone over this paperwork; is</b></p> <p>11 <b>that right?"</b></p> <p>12 <b>And you answer: "Yes, sir."</b></p> <p>13 <b>Do you see that?</b></p> <p>14 A. Yes.</p> <p>15 <b>Q. I'm going to scroll down just a bit more.</b></p> <p>16 <b>And you see here, at line 3, it starts where the</b></p> <p>17 <b>court goes through your -- what these charges --</b></p> <p>18 <b>their maximum and what they carry. Do you see that?</b></p> <p>19 A. Yes.</p> <p>20 <b>Q. And at the time, you told him that you</b></p> <p>21 <b>understood that. Do you see that?</b></p> <p>22 A. Yes.</p> <p>23 <b>Q. And if we scroll down a little bit more, we</b></p> <p>24 <b>see the court is outlining what the state is</b></p> <p>25 <b>recommending in the plea agreement. Do you see that?</b></p>

<p style="text-align: right;">Page 154</p> <p>1 already had it figured out that I was going to work                  2 at the courthouse.                  3 <b>Q. Okay.</b>                  4 A. So I wasn't concerned about that in this. I                  5 was concerned about the years because that was what                  6 was not lined out.                  7 <b>Q. Right.</b>                  8 <b>And the court allowed you to correct that</b>                  9 <b>position of the state at this hearing; correct?</b>                  10 MR. TERRILL: Object to form.                  11 You can answer.                  12 THE WITNESS: Yeah.                  13 BY MR. WILLIFORD:                  14 <b>Q. And then the court strikes your plea and then</b>                  15 <b>he continues it until April 29th at 9:00.</b>                  16 <b>Okay. You know you've sued Mr. Craig Sutter as</b>                  17 <b>the -- he's the executive director of OIDS, and</b>                  18 <b>you've sued OIDS as an entity itself.</b>                  19 <b>Let me ask you: As we sit here today, what is</b>                  20 <b>it you would like -- what do you think Mr. Sutter</b>                  21 <b>individually can do? What would you like to see him</b>                  22 <b>do in this case?</b>                  23 A. I mean, if I'm correct, that's the attorneys'                  24 bosses -- or boss. So if that's who he is, then he                  25 should let his OIDS attorneys know that they should</p>	<p style="text-align: right;">Page 156</p> <p>1 A. I don't believe so, no.                  2 <b>Q. Okay. Do you believe that I've been fair</b>                  3 <b>with you in my questions, for the most part?</b>                  4 A. From what I understood, yes.                  5 <b>Q. Fair enough.</b>                  6 MR. WILLIFORD: I don't have any more                  7 questions for you, Ms. Feenstra.                  8 THE WITNESS: Thank you, sir. You have a                  9 great day.                  10 MR. WILLIFORD: You, too.                  11 CROSS EXAMINATION                  12 BY MR. TERRILL:                  13 <b>Q. All right. Mrs. Feenstra, I'm going to ask</b>                  14 <b>just a few questions and then we'll wrap up and get</b>                  15 <b>out of here, assuming that -- Devan may have some</b>                  16 <b>more questions -- Mr. Pederson may have some more</b>                  17 <b>questions.</b>                  18 <b>But going to --</b>                  19 MR. TERRILL: Court Reporter, can you hear                  20 me okay?                  21 THE REPORTER: I can. You're a little                  22 soft, but I can hear you.                  23 MR. TERRILL: I'll try to speak up.                  24 BY MR. TERRILL:                  25 <b>Q. At some point, you've discussed the different</b></p>
<p style="text-align: right;">Page 155</p> <p>1 work for their clients just like they would if they                  2 were paid by an individual.                  3 <b>Q. Okay. What about OIDS as an entity, as an</b>                  4 <b>institution, what do you think -- what would you like</b>                  5 <b>to see them do in this case?</b>                  6 A. Again, I want them to work for the defendant                  7 as if they were being paid to actually work for that                  8 defendant, like fight for them. Don't take just                  9 whatever plea comes out of them so you can get out of                  10 that case and go on to the next one. That's not                  11 fair.                  12 <b>Q. Okay.</b>                  13 A. It shouldn't matter if it takes a year or two                  14 to make -- to come to an agreement that will be good                  15 for both sides. Don't -- I mean, take your time and                  16 do what you should do as a lawyer.                  17 <b>Q. No. I understand. I appreciate that.</b>                  18 <b>Mrs. Feenstra, I don't believe that I have any</b>                  19 <b>additional questions for you. Is there any part of</b>                  20 <b>your prior testimony that you've given today -- I</b>                  21 <b>know it's been a long day, and I appreciate it.</b>                  22 <b>Is there anything about your prior testimony,</b>                  23 <b>whether it be to me whether it be to Mr. Pederson,</b>                  24 <b>that you'd like to go back and change or adjust or</b>                  25 <b>modify?</b></p>	<p style="text-align: right;">Page 157</p> <p>1 <b>conversations that you had with your OIDS attorney,</b>                  2 <b>Ms. Branstetter; correct?</b>                  3 A. Yes.                  4 <b>Q. All right. And at some point, in some</b>                  5 <b>measure or to some extent, the fines, fees, and costs</b>                  6 <b>was discussed briefly; right?</b>                  7 A. Briefly.                  8 <b>Q. Did Ms. Branstetter ever tell you how much</b>                  9 <b>your fines would be?</b>                  10 A. No.                  11 <b>Q. Did Ms. Branstetter ever tell you how much</b>                  12 <b>your costs would be?</b>                  13 A. No.                  14 <b>Q. Did she ever tell you how much your fees</b>                  15 <b>would be, to the extent that that's a different -- a</b>                  16 <b>different measure of financial obligation?</b>                  17 A. No.                  18 <b>Q. Did Ms. Branstetter tell you what your total</b>                  19 <b>monthly responsibility would be?</b>                  20 A. No.                  21 <b>Q. Kind of like Mr. Williford, I'll be jumping</b>                  22 <b>around real briefly, but when was the first time that</b>                  23 <b>you knew how much you owed in total fines, fees, and</b>                  24 <b>costs?</b>                  25 A. Within the last year.</p>